

THE HONOURABLE SRI JUSTICE V. ESWARAI AH

WRIT PETITION No.20695 OF 2006

-
DATED: 29-06-2007

BETWEEN

P. Rama Subbamma,
W/o. Obul Reddy,
R/o. Chiyyapdu Village,
Chapadu Mandal,
Kadapa District and
Two others.

...PETITIONERS

AND

The District Collector,
Kadapa District at
Kadapa and others.

...RESPONDENTS

ORDER:

-
-

Petitioners seek a Writ of Mandamus to declare the action of the respondents in not releasing the loan amount due to them under Indiramma Scheme in spite of inclusion of their names in the list of beneficiaries prepared for the purpose of the scheme as illegal and arbitrary.

2. Learned counsel for the petitioners submits that it is not in dispute that the names of the petitioners have been included in the list of beneficiaries prepared for the said scheme for construction of houses but the sanctioned loan amount has not been released to them without any justification whatsoever.

3. Learned counsel appearing for the Andhra Pradesh State Housing

Corporation submits that insofar as the petitioners 1 and 3 are concerned, they got sanctioned the house under Indiramma scheme vide proceedings dated 20.05.2006, but they have already got a pucca house existing in their names and showed some other house, which was already constructed by Smt. S. R. Narayanamma for which an amount of Rs.11,980/- has been released and the second installment is yet to be released. Further that they have not submitted the stage wise photos i.e. basement level, roof level, roof cast and they failed to approach the office of the fourth respondent till date for the house sanctioned under Indiramma Housing Scheme. Insofar as the second petitioner is concerned, it is stated that he got AC sheet pucca building but showed some other already constructed house at left side to Smt. S.R. Narayanamma. Accordingly, notices dated 12.10.2006 have been issued to the petitioners proposing to cancel the house allotted to them under Indiramma Scheme and refused to recommend payment in their favour.

4. Learned counsel for the petitioners submits that the petitioners got issued a legal notice dated 21.10.2006 requesting to release the loan amount and to drop the proposals pursuant to the notice dated 12.10.2006.

5. It is not known as to whether the said representation got made through the counsel has been considered or not. It is also not known whether any proposals have been sent by the fourth respondent, to the concerned authorities to cancel the order sanctioning the houses in favour of the petitioners. I am of the opinion that there is no justification on the part of the respondents in simply withholding the payments without canceling the sanction of houses. The Housing Corporation has no business to recommend not to release the payments as long as the competent authority does not cancel the sanction of the houses.

Having regard to the facts and circumstances of the case, the writ petition is disposed of directing the respondents to conduct an enquiry and take appropriate action either with regard to release of the

payments to the houses already sanctioned or with regard to the cancellation of sanction of the houses, as expeditiously as possible. There shall be no order as to costs.

V. ESWARAI AH, J

June 29, 2007
DSK